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## FACSIMILE COVER SHEET

Deliver to: To, Jennifer N. USPTO Art Group: 2195  
Facsimile No.: (571) 273-8300 Date: September 30, 2008  
From: Ashley R. Essick, Reg. No. 55,515  
Our Docket No.: 42P15752 Number of pages 19 including this sheet.  
Application No.: 10/663,163 Filing Date: 9/15/2003  
Docket Due Date(s): 10/13/2008

Enclosed are the following documents:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Amendment: . . . After Final ( 17 pgs) | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( pgs)                               | <input type="checkbox"/> Notice of Appeal (in duplicate)                          |
| <input type="checkbox"/> Application: ( pgs) w/cover & abstract)           | <input type="checkbox"/> Petition for: . . . . .                                  |
| <input type="checkbox"/> Assignment & Cover Sheet ( pgs)                   | <input type="checkbox"/> Request for Continued Examination (RCE) (in duplicate)   |
| <input checked="" type="checkbox"/> Certificate of Facsimile               | <input type="checkbox"/> Reply Brief ( pgs)                                       |
| <input type="checkbox"/> Continued Prosecution Application (CPA)           | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Declaration & POA ( pgs)                          | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Drawings: sheets, figures                         | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time:                                | <input type="checkbox"/> Response to Written Opinion ( pgs)                       |
| <input checked="" type="checkbox"/> Fee Transmittal                        | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input type="checkbox"/> IDS & PTO/SB/08 ( pgs)                            | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> Other: . . . . .                                  | <input type="checkbox"/> Transmittal Letter                                       |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.81)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

  
Shannon Serrano

9/30/2008  
Date

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# FEE TRANSMITTAL for FY 2007

Patent fees are subject to annual revision

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

## Complete if Known

Application Number 10/663,163  
Filing Date September 15, 2003  
First Named Inventor Stephen M. Bennett  
Examiner Name To, Jennifer N.  
Art Unit 2195  
Attorney Docket No. 42P15752

## METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below ☒ Credit any overpayments
- ☐ Charge fee(s) indicated below, except for the filing fee ☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.
- ☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

## FEE CALCULATION

### 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
58	58	0	\$0.00
Independent Claims			
9	9	210.00	\$0.00
Multiple Dependent			
Large Entity	Small Entity		
Fee Code	Fee Code	Fee Description	
1202 50	2202 25	Claims in excess of 20	
1201 210	2201 105	Independent claims in excess of 3	
1203 370	2203 185	Multiple Dependent claim, if not paid	
1204 810	2204 405	**Reissue independent claims over original patent	
1205 810	2205 405	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (1)		(5)	0.00

\*\*or number previously paid, if greater, For Reissues, see below

### 2. ADDITIONAL FEES

Large Entity	Small Entity		
Fee Code	Fee Code	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1251 120	2251 60	Extension for reply within first month	
1252 460	2252 230	Extension for reply within second month	
1253 1,050	2253 525	Extension for reply within third month	
1254 1,640	2254 820	Extension for reply within fourth month	
1255 2,230	2255 1,115	Extension for reply within fifth month	
1401 510	2401 255	Notice of Appeal	
1402 510	2402 255	Filing a brief in support of an appeal	
1403 1,030	2403 515	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1450 130	2450 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
1806 180	1806 180	Submission of Information Disclosure Sheet	
1809 810	1809 405	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 210	2810 405	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)			
SUBTOTAL (2)		(5)	

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Ashley R. Essick	Registration No. (Attorney/Agent)	55,515	Telephone	(303) 740-1980
Signature	<i>Ashley Essick</i>	Date	09/30/08		

Based on PTO/6017 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 02/26/2007  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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RESPONSE UNDER 37 C.F.R. § 1.116  
-- EXPEDITED PROCEDURE --  
EXAMINING GROUP 2100

Our Docket No.: 42115752

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bennett, S.

Application No.: 10/663,163

Filed: September 15, 2003

For: Optimizing Processor-Managed  
Resources Based on the Behavior  
of a Virtual Machine Monitor

Examiner: To, J.

Art Group: 2195

RESPONSE AFTER FINAL

Mail Stop: AF  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed on August 13, 2008, which was made final, applicant submits this Amendment After Final Action for consideration.

CERTIFICATE OF FACSIMILE TRANSMISSION

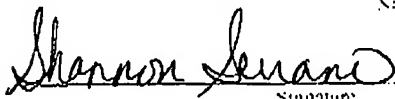
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September 30, 2008

Date of Deposit

Shannon Serrano

Name of Person Transmitting Correspondence



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9/30/08

Date